

EXHIBIT C

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

MARK SNOOKAL, an individual,)

)

)

Plaintiff,)

)

)

vs.)

CASE No.

)

2:23-cv-6302

)

HDV-AJR

CHEVRON USA, INC., a California)

Corporation and DOES 1 through)

10, inclusive,)

)

)

Defendants.)

)

Videotaped Remote Deposition via Zoom videoconference

of CHARLES L. BAUM, Ph.D., taken on behalf of Defendant

Chevron USA, Inc., at Nashville, Tennessee, commencing at

9:31 a.m., Monday, February 10, 2025, before Marivon H.

Christine, CSR No. 3735.

1 out of Ohio.

2 Q Let's talk about your background. I do have your
3 report, and it is Exhibit 1 to the deposition.

4 Can you give me a little bit of your educational
5 background post high school? 09:35

6 A Sure. I got a bachelor's degree in economics and
7 in political science, two different majors, from Wake
8 Forest University in 1995, and then I immediately went on
9 to a Ph.D. program in economics, and I graduated with my
10 Ph.D. in economics from the University of North Carolina 09:36
11 at Chapel Hill in May of 1999.

12 Q Tell me a little bit about your employment
13 background post college, either post undergrad or post
14 Ph.D., just an overview of your employment background.

15 A Okay. After I graduated with my Ph.D. in May of 09:36
16 1999 I was hired to begin teaching economics at Middle
17 Tennessee State University.

18 The semester began in August of 1999. I was
19 hired sometime before that, and then I've been a full-time
20 teacher or professor of economics in the Department of 09:36
21 Economics & Finance at Middle Tennessee State University
22 since that time. I'm in my 26th year.

23 Q And outside of teaching have you done any type of
24 economics consulting?

25 A Yes. And then I began consulting as an economist 09:36

1 for matters that were almost always in litigation in 2005,
2 about 20 years ago.

3 Q And in doing that, did you do that as Charles
4 Baum or an LLC or as a company?

5 A Yes. I have an LLC set up through which I do 09:37
6 that work. It's called Baum Economics, LLC.

7 Q How often, say, on an annual basis in the last
8 five years are you doing consulting work in
9 employment-related cases?

10 A My work is seasonal. I teach full time in the 09:37
11 spring and fall semesters, but I'm off for four months in
12 the summer when I serve as a consultant. I guess, about
13 100 percent of my work time is in the summer. I'm off a
14 month at Christmas, a week for spring break, a week for
15 fall break. 09:37

16 So, again, my work as a consultant is seasonal.
17 About 40 percent of the cases in which I serve as an
18 economics expert are matters that are in employment or in
19 employment litigation cases.

20 Q What would you say is the other 60 percent of 09:38
21 your consulting-related business?

22 A About 40 percent are injury and death cases, and
23 then the remaining 20 percent would be what I call
24 corporate cases where I'm calculating some measure of lost
25 profits, although the last 20 percent are corporate cases, 09:38

1 I'm disclosed as an expert, and I provide a report or
2 calculation. So my testimony list is more heavily
3 weighted for the plaintiff than my overall workload is.

4 Q Understood. Have you actually ever testified in,
5 say, in a deposition or an arbitration or a trial on 09:40
6 behalf of an employer where you're criticizing or
7 critiquing a report from the other side?

8 A I'm sure I have, yes.

9 Q Outside of teaching in the past 20-plus years and
10 your consulting work, any other avenues of income related 09:40
11 to your profession as an economist?

12 A I don't think as an economist. I've got
13 investments, and I've been a part-time politician, but not
14 as an economist.

15 Q Okay. Fair enough. Let's talk about your 09:41
16 retention and your opinion in this case, Dr. Baum.

17 When you were contacted by Ms. Leal, were you --
18 as I understand you were asked to provide an expert
19 opinion as to economic damages for Mr. Snookal; is that
20 correct?

21 A Yes.

22 Q And you provided that in a written report; is
23 that correct?

24 A Yes.

25 Q What type of information were you provided from 09:41

1 Ms. Leal or anyone else in preparing your expert opinion
2 in this case?

3 A I was provided documents for Mr. Snookal on --
4 for three different jobs. The first job was his position
5 at Chevron. The second was his position for Georgia 09:41
6 Pacific, and the third one was his -- really his first
7 position of replacement employment for a company called
8 Nippon Dynawave.

9 And for these three jobs I was provided
10 information on his earnings and the types of employment 09:42
11 benefits that he received.

12 Q And with respect to the type of benefits, what
13 type of documentation, if any, were you provided regarding
14 the benefits for those positions?

15 A For Chevron I received a number of different 09:42
16 company manuals that provided information on anything from
17 life insurance benefits to tax reimbursements to ESIP
18 benefits, all kind -- several different kinds of
19 Chevron -- Chevron specific manuals.

20 I also got some information that showed what 09:43
21 Mr. Snookal had actually been earning and what benefits he
22 had actually been receiving.

23 And, then, from Nippon I received an offer
24 letter, and I believe I received a benefits manual from
25 Nippon, as well. 09:43

1 And from Georgia Pacific I received a benefits
2 manual.

3 Q In looking at the report -- I'm going to share
4 the report just so we're all on the same page here, and
5 like I say, I marked this as Exhibit 1. 09:43

6 Dr. Baum, are you able to see this exhibit,
7 Exhibit 1?

8 A Yes.

9 Q Okay. I'm just going to scroll through to make
10 sure we're on the same page. We'll go back to just using 09:43
11 the report you have in front of you because I think it's
12 easier to review. I want to make sure I go through and
13 make sure we are talking about the same document for the
14 record.

15 Is that your signature on page 10 of Exhibit 1,
16 your report? 09:44

17 A Yes.

18 Q Thank you. As I understand it there's some
19 tables that are attached to your report. I'm going to
20 scroll through. If I go too fast, let me know. 09:44

21 A It looks like my report.

22 Q Okay. And I see on page 12 this is your current
23 or most current CV?

24 A Yes, as of the writing of the report.

25 Q Okay. Fair enough. I'm just going to run 09:44

1 through these.

2 And then you start on page 43. You have
3 case-related documents. What does this reflect, Dr. Baum?

4 A It reflects the information that I considered for
5 my calculations that are specific to this case. These are 09:45
6 documents that I would use really only for this case.

7 Exhibit C, also, is information I used for the
8 case, but it's more general economic data or economic work
9 that I would use for potentially multiple cases.

10 Q Couple questions here. You see line 13, where it 09:45
11 says, "Chevron tax agreement and limited power of attorney
12 agreement, August 2, 2019," what does that refer to?

13 A It looks like -- it's a relatively short document
14 where it looks like Mr. Snookal signed some agreement
15 where I believe KPMG would be handling some of the tax 09:45
16 services required for his employment with Chevron.

17 Q In paragraph 14, which is "Chevron rotational
18 expatriate assignments," what does that refer to?

19 A I believe this is a document that lists the paid
20 premium for different assignments overseas that an 09:46
21 employee could have through Chevron.

22 Q Do you recall if that particular document was
23 provided by Chevron, to your knowledge, or is it a
24 separate type of document from counsel, if you know?

25 A Well, it was provided to me by Ms. Leal, but I 09:46

1 as to punitive damages in this case?

2 A No.

3 Q Have you prepared any updated reports, other than
4 the report, Exhibit 1, which is dated August 16, 2024?

5 A No, not at this time.

09:49

6 Q Have you been asked to provide any type of
7 opinion as of now in rebuttal to any Chevron USA
8 economist's report?

9 A I've not been asked to, no.

10 Q Let's go through your specific opinion. Just for
11 context, in looking at your expert report, there's a
12 series of paragraphs, 1 through 47. It appears these are
13 on pages 1 through 9 -- I'm sorry -- 1 through 48 is the
14 last paragraph there.

09:49

15 Would that be the -- would paragraphs 1 through
16 47 effectively be the entirety of your opinions in this
17 case?

09:50

18 A Yes.

19 Q All right. So let's go through your methodology.
20 How did you go about formulating your economic
21 damages analysis opinion in this particular case?

09:50

22 A My damage methodology is equal to a projection of
23 what Mr. Snookal would have earned and received in
24 employment benefits from Chevron, absent any wrongdoing
25 alleged by Chevron, minus his actual and projected

09:50

1 earnings from replacement employment or subsequent
2 employers.

3 Q So would it be fair to say, sir, in layman's
4 terms you calculated the amount of economic earnings he
5 could have or should have had, again, in this case,
6 deducted all of his earnings from other employment to come
7 out with an economic damages number for the past earnings,
8 past losses, and then you also did a calculation into the
9 future economic losses using a present value analysis?

09:51

10 A That's correct. And I think I would highlight
11 that the future losses are discounted to present value.

09:51

12 Q Okay.

13 A Which is what you said.

14 Q Okay. Let's take a look at your report, and
15 starting at paragraphs 1 through 4, let's take a look at
16 those paragraphs.

09:51

17 Paragraph 1 talked about your background, and
18 paragraph 2, would that be an accurate summary for what
19 you were asked to do in this case?

20 A Yes.

09:52

21 Q And starting from paragraphs 5 through 12, where
22 the paragraph started off, "It is my understanding" is
23 that information you were provided either from Mr. Snookal
24 and/or counsel?

25 A Yes, or some of the case-specific documents that

09:52

1 Q And then if you look at the same table for the
2 calculation starting, again, in 2025 through 2035, you
3 have a cumulative running total of all economic damages
4 under Scenario 1 of \$2,714,283; would that be correct?

5 A Yes. 10:02

6 Q Why did you select the year 2035 for Scenario 1
7 in your economic damages calculations?

8 A Yes. That is a period that takes Mr. Snookal
9 through the end of his projected worklife expectancy. It
10 takes him to about age 62 or 63, but having said that,
11 again, I don't assume a 100 percent chance that
12 Mr. Snookal would have stayed at Chevron until age 62.

13 Instead, I take these future periods and I adjust
14 them for the likelihood that he would have stayed with
15 Chevron in each future year, and those adjustments are in
16 column 13. 10:02

17 So that, for example, I'm not assuming he stays
18 at Chevron with a 100 percent chance through 2035, but I
19 recognize that there is some positive probability that he
20 might have stayed at Chevron until retirement. 10:03

21 Q So if you look at column 13, starting on page 11
22 of your report where it says, "Tenure Probability" --

23 A Yes.

24 Q -- so how did you come up with the percentage of
25 probability for your calculations going to the future that 10:03

1 Mr. Snookal would be at Chevron, at least, through 2035?

2 A These are probabilities that are projected using
3 a multi-variant regression model, and it's actually a
4 model that I authored and published in a journal.

5 That journal should be cited and referenced in my 10:03
6 report what I consider a number of different factors, and
7 with those factors I'm able to project the likelihood that
8 Mr. Snookal or, actually, any other employee would remain
9 with an employer in each future year until retirement. So
10 this projection is from a regression model. 10:04

11 Q When you spoke to Mr. Snookal, did you ask him
12 any questions about his desire to stay at Chevron for any
13 period of time after 2019?

14 A My understanding is he intended to remain at
15 Chevron. I believe he was employed with Chevron first in 10:04
16 2009, so he had been employed there for ten years, at
17 least, at the time the allegations in this case arose.

18 Q Understood. Did you ask him if he had planned on
19 staying at Chevron, I guess, but for these issues that he
20 claims he had with Chevron? 10:04

21 A My understanding is it was his intension to take
22 the position in Nigeria, yes.

23 Q And do you understand at what point in time he
24 actually resigned or separated from Chevron? Was that in
25 2021? 10:05

1 A I think so. I think it was around August or
2 September of 2021.

3 Q Did you have any discussions with Mr. Snookal
4 when you talked to him as to he why he stopped working at
5 Chevron?

10:05

6 A From the complaint it was my understanding that
7 it involved several factors: No. 1, a demotion where he
8 was moved into a position where he wasn't managing or
9 supervising other workers. His skills were essentially
10 not being used. He was moved into a position that did not
11 involve any promotional opportunities. It wasn't a
12 position that was -- he considered to be important to the
13 company. It was sort of the company sidelining him.

10:05

14 And then in addition to that set of factors, it's
15 my understanding that the events that are outlined in the
16 complaint led Mr. Snookal to have some mental anguish,
17 depression, and that due to this -- due to these effects
18 he did not deem it good for his mental health to remain
19 employed at Chevron, and so essentially Chevron
20 constructively discharged him.

10:05

10:06

21 Q Were you ever provided Mr. Snookal's deposition
22 transcript?

23 A No.

24 Q Were you provided any discovery responses in this
25 case, for example, any interrogatory responses by

10:06

1 Mr. Snookal in this case?

2 A No.

3 Q Were you provided any interrogatory responses
4 from Chevron USA in this case?

5 A No.

10:06

6 Q Were you provided any deposition testimony from
7 any witnesses in this case as part of your economic
8 damages analysis?

9 A No.

10 Q So let's go to your next chart and your next
11 opinion in this case, Dr. Baum.

10:06

12 I heard some background noise. Was that just me?
13 Let me start, again.

14 Dr. Baum, what is your next opinion, if any, in
15 this case regarding Mr. Snookal's economic damages?

10:07

16 A Okay. I provide a second scenario. I believe
17 we've discussed the first scenario.

18 So I provide a second scenario where I calculate
19 economic losses, and my methodology in my second scenario
20 is the same as in my first scenario with one change, and
21 that is I project Mr. Snookal to have been upgraded or
22 promoted to the grade 23 compensation level with his
23 transfer to the position in Nigeria.

10:07

24 I don't assume that that promotion occurs
25 immediately. I assume that he would have been promoted by

10:08

1 January 1st of 2020. It's my understanding that these
2 types of promotions regularly occur usually within about
3 six months of the transfer to a position like the one
4 Mr. Snookal was initially offered in Nigeria.

5 And in this second scenario the present value of 10:08
6 the total economic losses can, again, be found in the
7 bottom right-hand corner of the table, Table 2, in column
8 23. The total present value of the economic losses would
9 be \$3,477,855. Part of that represents lost back pay and
10 part of that represents lost front pay. 10:08

11 Q Okay. So if we look at Table 2, would it be fair
12 to say that your methodology was the same as the
13 methodology in Table 1, just with an assumption that
14 Mr. Snookal would have been promoted to a position with
15 grade 23 as of January 1, 2020? 10:09

16 A That's correct.

17 Q And so if you look at the adjusted loss in the
18 economic damages for the past through the trial date of
19 February 2025, the cumulative loss would have been
20 1,136,838 as reflected on page 14 of your report? 10:09

21 A That's correct.

22 Q And what is your understanding as to what
23 Mr. Snookal's base pay would have been if he had been
24 promoted to grade 23 in January of 2020?

25 A It's my understanding that he would have 10:09

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

OF

CERTIFIED SHORTHAND REPORTER

The undersigned Certified Shorthand Reporter
of the State of California does hereby certify:

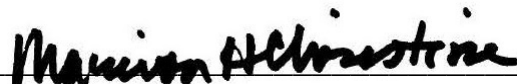
That the foregoing proceeding was taken
remotely before me at the time and place therein set
forth, at which time the witness was duly sworn by me;

That the testimony of the witness and all
objections made at the time of the examination were
recorded stenographically by me and were thereafter
transcribed, said transcript being a true and correct
copy of my shorthand notes thereof;

I hereby certify that I am not interested in
the event of the action.

IN WITNESS WHEREOF, I have subscribed my name

this date: February 17, 2025.



MARIVON H. CHRISTINE, CSR
Certificate No. 3735

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Marivon H. Christine , Certified Shorthand Reporter,
CSR No. 3735, hereby certify:

The foregoing is a true and correct copy of the
original transcript of the proceedings taken by me
as thereon stated.

Dated: February 24, 2025


MARIVON H. CHRISTINE, CSR, RPR
Certificate No. 3735